

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CRAIG M. LANCASTER,)
Petitioner,)
v.) No. 4:13-CV-2406 CAS-SPM
SCOTT LAWRENCE,)
Respondent.)

ORDER

This matter is before the Court on petitioner Craig M. Lancaster's Motion for Summary Judgment. Lancaster is proceeding on a petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. The case was referred to United States Magistrate Judge Shirley Padmore Mensah, for report and recommendation on all dispositive matters and for final disposition on all non-dispositive matters, pursuant to 28 U.S.C. § 636(b).

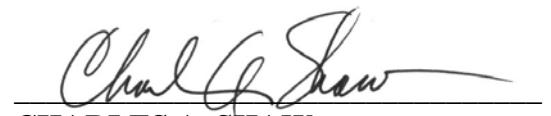
On August 1, 2016, Judge Mensah filed a Report and Recommendation of United States Magistrate Judge, which recommended that Lancaster's motion for summary judgment be denied without prejudice because it is duplicative of his petition for writ of habeas corpus. The parties were allowed fourteen (14) days to file objections to the Magistrate Judge's Report and Recommendation, but no objections were filed within the time permitted.

After careful review of the record, the Court concurs in the recommendation of the Magistrate Judge.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of United States Magistrate Judge is **sustained, adopted and incorporated** herein. [Doc. 24]

IT IS FURTHER ORDERED that Craig M. Lancaster's motion for summary judgment is **DENIED without prejudice.** [Doc. 22]



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 15th day of September, 2016.